

SINGLE BENCH

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CG)

WRIT PETITION (S) NO. 6848 /2006

PETITIONERS

1. Narayan Prasad Sharma, aged about 47 years, son of Shri Durga Prasad Sharma, Assistant Teacher, Government Primary School – Shabdmunda, Vikas Khand Kansabel, Tah. Bagicha, District Jashpur (CG)
2. Kashmir Sai Paikra, aged about 43 years, son of Shri Godman Sai Paikra, Assistant Teacher, Government Primary School Semarkachhal, Vikas Khand Kansabel, Tah. Bagicha, Distt. Jashpur (C.G.)
3. Sagarnath Sai, aged about 40 years, son of Shri Sukhram Sai, Assistant Teacher, Government Primary School – Shabdmunda, Vikas Khand Kansabel, District Jashpur (C.G.)
4. Shivnandan Ram, aged about 42 years, son of Shri Dalamati Ram, Assistant Teacher, Government Primary School Ambadhar, Vikas Khand Kansabel, Tahsil Bagicha, District Jashpur (CG)
5. Goverdhan Yadav, aged about 48 years, son of Shri Parmaram Yadav, Assistant Teacher, Government Girls Higher Secondary School Kansabel, Tah. Bagicha, District Jashpur (CG)
6. Raghuraj Sai Paikra, aged about 42 years, son of Shri Kharu Sai Paikra, Assistant Teacher, Government

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P.R. No. 6738/06
Presented by Shri A.N. Bhargava
dated 23-11-06



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Primary School Paigamba, Vikash
Khand Kansabel, Tahsil - Bagicha,
District Jashpur (CG)

7. Suman Ram aged about 40 years, son
of Shri Basua Ram, Assistant Tacher,
Government Primary School Seharjodi,
Vikas Khand Kansabel, District Jaspur
(CG)
8. Shakeel Ahmed, aged about 46 years,
son of Shri Mohd Riyaseen, Assistant
Teacher, Government Girls Primary
School Ludeg, Tah. Patthalgaon, Distt.
Jashpur (C.G.)
9. Vijay Prasad aged about 40 years, son
of Shri Nakul Prasad, Assistant
Teacher, Government Primary School
Bihabaal, Vikas Khand Kansabel,
Tahsil Bagicha, District Jashpur (CG)

VERSUS

RESPONDENTS



1. State of Chhattisgarh, through -
Secretary, Department of Tribal
Welfare, Dau Kalyan Singh Bhawan,
Raipur (C.G.)
2. The Assistant Commissioner, Deptt of
Tribal Welfare, District Jashpur (CG)
3. The Block Education Officer
Pathalgaon, District Jashpur (CG)
4. The Principal Government Higher
Secondary School Ludeg, Tah.
Patthalgaon, District Jashpur (CG)

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WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.(S.) NO. 6848/06

मामला क्रमांक सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11.12.2006 Shri A.N. Bhakta, learned counsel for the petitioners. Shri Ajay Dwivedi, learned P.L. for the State/respondents. Heard. By this petition under Articles 226/227 of the Constitution of India, the petitioners seek a direction to the respondents to pay the increments and seniority on the basis of the date of their initial appointments in the light of the decision rendered by the learned State Administrative Tribunal, Jabalpur in Original Application No. 1452/1998 (Harish Chandra Singh and others Vs. State of M.P. and others) dated 31.1.2000 2. Learned counsel appearing for the petitioners placed on record copy of the order dated 9-10-2006 passed by this Court in Writ Petition (S) No. 9-10-2006 (Rakesh Kumar Sharma -Vs- State of Chhattisgarh and others) and submits that the petitioners are similarly situated, therefore, the similar order may be passed. 3. The case of the petitioners is that they were appointed as Assistant Teachers in the School Education Department on probation for a period of one year with the fixed salary. However, later on, after completion of one year's probation, the petitioners were regularized but, they were not given the regular pay scale from the date of their initial appointments. Other similarly situated teachers moved the State Administrative Tribunal, Jabalpur for regular pay-scale, wherein learned Tribunal vide order dated 31.1.2000 allowed the same. The petitioners made several representations to accord the same treatment as they were also similarly situated, but, the respondents	

P.T.O.

मामला क्रमांक W.P.(S.) No. 6848/06 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	have not paid any heed. Thus, this petition. 4. Learned counsel for the petitioners submits that the petitioners may be allowed to make a representation to respondent No.1 to give similar treatment to the petitioners and same pay-scale which has been sanctioned to other similarly situated teachers on account of the order of the State Administrative Tribunal dated 31.1.2000, to which learned counsel for the respondents/State has no objection. 5. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, in the opinion of this Court, the limited prayer made by learned counsel for the petitioners appears to be reasonable. Therefore, the petitioners are allowed to make a representation within a period of two weeks from today to respondent No.1, raising all their grievances and, in turn, respondent No.1 shall decide the said representation in an objective manner within a period of 30 days from the date of receipt of such representation, after considering all the points raised by the petitioners and taking into account the order dated 31.1.2000 passed by the learned State Administrative Tribunal in Original Application No. 1452/1998. 6. The writ petition is accordingly disposed of with the aforesaid direction. No order as to costs. 7. Certified copy as per rules.	Sd/- Dhirendra Mishra Judge

P.T.O.

Pattabhatla
15.12.06